

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fang, et al.  
Serial No.: 09/910,483  
Filed: July 19, 2001  
For: HUMANIZED ANTIBODIES



Certificate of Mailing Under 37 C.F.R. §1.8

I hereby certify that this correspondence along with any paper referred to as being attached is being mailed to Addressee by service of the United States Postal Service First Class Mail, postage prepaid, addressed to the Commissioner of Patents and Trademarks, U.S. Patent and Trademark Office, Washington, D.C. 20231 on February 7, 2003.

By: *Karyn F. Massie*  
Karyn F. Massie

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sirs:

RESPONSE TO OFFICE COMMUNICATION

In response to the Action mailed September 20, 2002, in connection with the above-identified application, the time for responding having been extended to February 20, 2003, by the accompanying fee and petition under 37 C.F.R. §1.136, Applicants elect, with traverse, Group II, claims 1 to 27 and 34 to 57, directed to antibody Hum B compositions and treatment methods, for prosecution in the subject application.

Applicants respectfully request rejoinder of Group XI, claims 28 to 33, directed to nucleic acid encoding Hum B, vectors and transformed cells with the elected claims. First, the Group XI claims depend from the Group II claims. In particular, for example, nucleic acid encoding Hum B of the Group XI claims encode the antibody Hum B compositions of the Group II claims. Thus, search and examination of the Group II antibody Hum B composition claims will overlap with a search and examination of the Group XI claims. Furthermore, if the Group II claims are free of the prior art the Group XI claims are likewise free of the prior art. As such, there is no undue burden on the Patent Office to search and examine the Group XI claims with the Group II claims in the subject application. Accordingly, Applicants respectfully request rejoinder of the Group XI claims with the Group II claims for examination in the subject application.

02/13/2003 SDENB0B1 00000009 09910483

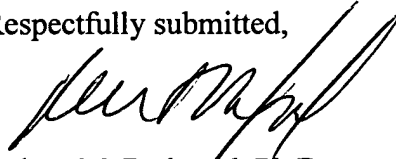
01 FC:2254

725.00 OP

CONCLUSION

If the Examiner would like to discuss any of the issues raised in the Action, Applicant's representative can be reached at (858) 509-4065. A check for the requisite fee is enclosed. However, if the check is omitted or insufficient, please charge any additional fees, or make any credits, to Deposit Account No. 03-3975, Order No. 014357-0278772.

Respectfully submitted,



Robert M. Bedgood, Ph.D.  
Reg. No. 43,488  
Agent for Applicant

Dated: February 6, 2003  
Attorney Docket No. 014357/0278772  
Address all correspondence to:  
11682 El Camino Real, Suite 200  
San Diego, CA 92130-2593  
E-mail: rbedgood@pillsburywinthrop.com